

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

KEVIN PAUL PENO,  
Petitioner

v.

MARK GARMAN, SUPT.,  
Respondent

: No. 1:19cv2082  
:  
: (Judge Munley)  
:  
: (Magistrate Judge Schwab)  
:  
:

**ORDER**

**AND NOW**, to wit, this 27th day of December 2023, for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** as follows:

- 1) Petitioner Kevin Paul Peno's partial objection (Doc. 47) is **OVERRULED**;
- 2) The report and recommendation of Magistrate Judge Susan E. Schwab (Doc. 40) is **ADOPTED**;
- 3) The petition for writ of habeas corpus (Doc. 1) is **DENIED**;
- 4) No certificate of appealability will be issued; and
- 5) The Clerk of Court is directed to close this case.

**BY THE COURT**

s/ Julia K. Munley  
**JUDGE JULIA K. MUNLEY**  
**United States District Court**